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OFFICE OF PETITIONS

In re Application of
Reinhard **MEINDL, et al.**
Application No. 10/023,118
Filed: December 17, 2001
Attorney Docket No. **AT 000071**

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DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed July 11, 2008, to revive the above-identified application.

The petition is **GRANTED**.


The two-month period for filing an appeal brief under 37 CFR 41.37 (accompanied by the fee required by 37 CFR 41.20(b)(2)), runs from the date of this decision.

This application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of January 24, 2006. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2)), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination (RCE) and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(II)(A)(2). Accordingly, the date of abandonment of this application is April 25, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Notice of Appeal; (2) the petition fee of 1500; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Monica A. Graves at (571) 272-7253.

This application is being referred to Technology Center AU 2617 to await the filing of an appeal brief or for such other appropriate reply as may be submitted to continue prosecution of the application.


Brian W. Brown
Petitions Examiner
Office of Petitions